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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/721,794	11/26/2003	Yang Hwan No	K-0580	4136

  

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EXAMINER	
HECKERT, JASON MARK	

  

ART UNIT	PAPER NUMBER
1746	

  

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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	Application No. 10/721,794	Applicant(s) NO ET AL.	
	Examiner Jason Heckert	Art Unit 1746	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 07 May 2007.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1 and 3-28 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,3-28 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of: .
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |                                                                                                            |                                                                                         |
|------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                                           | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____                                                |

## DETAILED ACTION

### *Response to Arguments*

1. Applicant's arguments filed 5/7/07 have been fully considered but they are not persuasive. Examiner presented Hughes to show that it is well known that a detergent dispenser can be accessed via the top of a washing machine. Examiner presented Schober to show covers fixed to detergent dispensers are known. Figure 7 of Schober depicts boss-like elements, which would be obvious to use in fastening the cover to the machine or dispenser by one skilled in the art. Appleton was presented to show that bosses and screws are known fastening elements. Each of these references is still applicable to the application as amended. For example, Hughes discloses that lid 16 is an opening to a detergent dispenser. This dispenser must be fastened to the upper part of the machine in some way; otherwise the dispenser would fall to the bottom of the machine and be inoperable. One of ordinary skill in the art would look to a variety of fastening elements, such as the bosses' and screws of Appleton that would provide the predictable result of fastening the dispenser to the machine. Granted, Appleton's bosses appear to be flush with one another, however mating elements such as bosses is known to provide increased structural support, as well as alignment during the process of adding screws. Once again, these are predictable results to one of ordinary skill in the art and are not deemed as patentably distinct features over the prior art. The new claims generally deal with the shape and location of the bosses. Appleton shows two bosses meeting adjacently. However, one of ordinary skill in the art would realize that some other layer, say a machine casing, could exist in between. Once again, the

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examiner presented Appleton, not to imply that the box of Appleton would have applicability in a washing machine, but to show that fastening two things together with a boss is known. Where one would locate a boss is considered to be a routine design choice within the skill of one practicing the art.

***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claim 1, 3-7, 16-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hughes in view of Appleton. Hughes discloses a drum type washing machine that has a cabinet 11 and is of the tumbler type (col. 1 line 63) comprising a rotating drum inside a tub. This style of washing machine is common and well known. Hughes also discloses a detergent dispenser accessible by door 16 (col. 2 line 4), which leads to a bent opening in top plate 13. It is common and well known to use means such as hinges to allow doors to be rotatably installed. Although Hughes discloses the dispenser, he does not disclose the fixing means of the dispenser to the machine or cover. Appleton discloses a means for fixing two moldings together. In Figures 4 and 5, Appleton shows upward protrusions 50 and downward protrusions 34. These protrusions hold screws 20, and the lower protrusion has an interior screw formed within, as depicted in Figure 5. Appleton does not disclose whether or not the protrusions overlap, however these lower and upper protrusions come into contact as

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the screws are tightened. Mating elements such as bosses is known to provide increased structural support, as well as alignment during the process of adding screws. These are predictable results to one of ordinary skill in the art and are not deemed as patentably distinct features over the prior art. Furthermore, rearrangement of parts was held to have been obvious. *In re Japikse* 86 USPQ 70 (CCPA 1955). It would have been obvious at the time of the invention to fix the detergent box of Hughes to a washing machine or cover frame using the means disclosed by Appleton, as it provides a seal to prevent water from reaching the screws that could cause rust and a loss in structural integrity.

4. In regards to claims 5-6, hooks are a notoriously common means for fastening and hanging, and their use cannot be considered novel. It would have been obvious to modify Hughes and Appleton, as discussed previously, and use hooks as a means to fasten or hang the detergent dispenser to the machine, as taught by convention.

5. In regards to claims 16-22, as shown by Appleton fastening two things together with a boss is known. How one would shape and where one would locate a boss, screw, etc. is considered to be a routine design choice within the skill of one practicing the art. The underlying fact is that bosses, screws, hooks, and other fasteners are known, as stated previously. It would have been obvious at the time of the invention, to orient such known devices in order to fasten a dispenser to a machine or cover, as is shown in the prior art.

6. Claim 8-9, 13-15, 23 rejected under 35 U.S.C. 103(a) as being unpatentable over Hughes in view of Schober. As stated previously, Hughes discloses a drum type

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washing machine with a detergent dispenser and a bent opening in top plate 13.

Hughes also states that the detergent dispenser is accessible by a door. It is common and well known to use means such as hinges to allow doors to be rotatably installed.

He does not disclose a cover frame with a rim loaded on an upper surface of the neighbor part. Schober discloses a design for a cap to a washing machine additive dispenser clearly comprising a cover frame with a bent lower portion to be fit into a bent opening. Furthermore, when in an opening, the opening to the exterior is bent as well. This bent portion is clearly meant to overlap a peripheral portion of the top plate or top surface of a washing machine. This cap is capable of overlapping the periphery, as well as covering the detergent dispenser, wherein the neighbor part would be clamped in between. Lastly, as stated previously, hanging means and other fastening means are known in the art, and their mere inclusion to fix a device, which is known to be fixed to a machine, is not considered to be a patentably distinct feature. It would have been obvious at the time of the invention, to modify Hughes and include any known detergent dispenser cap, such as that disclosed by Schober, as an alternative option.

7. In regards to claim 9 and 23, hooks are a notoriously common means for fastening and hanging, and their use cannot be considered novel. It would have been obvious to modify Hughes and Schober, as discussed previously, and use hooks as a means to fasten or hang the detergent dispenser to the machine, as taught by convention.

8. In regards to claim 15, it is notoriously well known in the art to provide a plurality of compartments in detergent dispensers in order to provide various wash aids, such as

detergent and fabric conditioners and cannot be considered novel. It would have been obvious to modify Hughes with the detergent dispenser cap of Schober and include multiple compartments in the dispenser, as taught by convention, in order to provide a multitude of wash aids.

9. Claims 10-12, 24-28 rejected under 35 U.S.C. 103(a) as being unpatentable over Hughes in view of Schober and further in view of Appleton. As stated previously, Hughes does not disclose the means of fixing the dispenser to the machine cover. As stated above in paragraph 3, Appleton discloses a means for fixing moldings together. It would have been obvious at the time of the invention to fix the detergent box of Hughes, with a cover taught by Schober, to a washing machine or cover frame using the means disclosed by Appleton, as it provides a seal to prevent water from reaching the screws that could cause rust and a loss in structural integrity.

10. In regards to claims 25-28, as shown by Appleton fastening two things together with a boss is known. How one would shape and where one would locate a boss, screw, etc. is considered to be a routine design choice within the skill of one practicing the art. The underlying fact is that bosses, screws, hooks, and other fasteners are known, as stated previously. It would have been obvious at the time of the invention, to orient such known devices in order to fasten a dispenser to a machine or cover, as is necessary in the prior art.

### ***Conclusion***

11. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP

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§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jason Heckert whose telephone number is (571) 272-2702. The examiner can normally be reached on Mon. to Friday, 8:00 - 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Barr can be reached on (571)272-1414. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.



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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

JMH



MICHAEL BARR  
SUPERVISORY PATENT EXAMINER